

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 99-2624

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Martin Lindstedt,

Appellant,

v.

City of Granby; Craig Hopper, Mayor,  
City of Granby; Robert Loudermilk,  
Councilman, City of Granby; Jay  
Jeter, then Councilman, City of  
Granby; Pat Canever; Jim Channel;  
Richard Thexton, Jr.

Appellees.

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Appeal from the United States  
District Court for the  
Western District of Missouri

[UNPUBLISHED]

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Submitted: November 10, 1999

Filed: December 6, 1999

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Before McMILLIAN, BRIGHT, and MURPHY, Circuit Judges.

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PER CURIAM.

Martin Lindstedt appeals from the final judgment entered in the District Court<sup>1</sup>  
for the Western District of Missouri dismissing his 42 U.S.C. § 1983 complaint with

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<sup>1</sup>The Honorable Dean Whipple, United States District Judge for the Western  
District of Missouri.

prejudice as a sanction for failure to respond to discovery requests, and from the court's subsequent order denying his Fed. R. Civ. P. 59(e) motion. We conclude the district court did not abuse its discretion in dismissing Lindstedt's complaint with prejudice or in denying his Rule 59(e) motion because Lindstedt's delay in answering defendants' interrogatories was deliberate. See Norman v. Arkansas Dep't of Educ., 79 F.3d 748, 750 (8th Cir. 1996) (standard of review of Rule 59(e) motions); Boogaerts v. Bank of Bradley, 961 F.2d 765, 768 (8th Cir. 1992) (per curiam) (standard of review of Fed. R. Civ. P. 37(b)(2)(C) dismissals); Avionic Co. v. General Dynamics Corp., 957 F.2d 555, 558 (8th Cir. 1992) (dismissal appropriate where party's failure was deliberate or in bad faith).

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.